

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWIN ZAYAS, *individually and on behalf of
all others similarly situated*,

Plaintiff,

-against-

233 NINTH CORP and 8TH AVENUE
TOBACCO AND MAGAZINE INC.,

Defendants.

ORDER

21-cv-10170 (ER)

The Court having been advised that all claims asserted herein have been settled, it is ORDERED, that the above-entitled action be and hereby is discontinued, without costs to either party, subject to reopening should the settlement not be consummated **within thirty (30) days** of the date hereof.

Any application to reopen must be filed **within thirty (30) days** of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, the parties are advised that if they wish the Court to retain jurisdiction in this matter for purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court **within the next thirty (30) days** with a request that the agreement be “so ordered” by the Court.

SO ORDERED.

Dated: November 10, 2022
New York, New York



Edgardo Ramos, U.S.D.J.